

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 31 OCT 2006

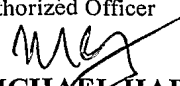
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| Applicant's or agent's file reference 687957C | FOR FURTHER ACTION | | See Form PCT/IPEA/416 |
| International application No. PCT/AU2005/001274 | International filing date (<i>day/month/year</i>) 24 August 2005 | Priority date (<i>day/month/year</i>) 24 August 2004 | |
| International Patent Classification (IPC) or national classification and IPC Int. Cl. G06Q 40/00 (2006.01) | | | |
| Applicant HOME-RETIRE PTY LTD et al | | | |

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (sent to the applicant and to the International Bureau) a total of 10 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:

| | |
|---|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI | Certain documents cited |
| <input type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |

| | |
|---|--|
| Date of submission of the demand 21 March 2006 | Date of completion of this report 18 October 2006 |
| Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929 | Authorized Officer  MICHAEL HARDY Telephone No. (02) 6283 2547 |

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:
- ☒ The international application in the language in which it was filed
- ☐ A translation of the international application into _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3(a) and 23.1 (b))
- ☐ publication of the international application (under Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))
2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages **1 to 68** as originally filed/furnished
- pages* received by this Authority on _____ with the letter of
- pages* received by this Authority on _____ with the letter of
- ☒ the claims:
- pages as originally filed/furnished
- pages* as amended (together with any statement) under Article 19
- pages* **69 to 78** received by this Authority on **11 October 2006**
- pages* received by this Authority on _____ with the letter of
- ☒ the drawings:
- pages **1/22 to 22/22** as originally filed/furnished
- pages* received by this Authority on _____ with the letter of
- pages* received by this Authority on _____ with the letter of
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|----------------|-----|
| Novelty (N) | Claims 1 to 14 | YES |
| | Claims | NO |
| Inventive step (IS) | Claims 1 to 14 | YES |
| | Claims | NO |
| Industrial applicability (IA) | Claims 1 to 14 | YES |
| | Claims | NO |

2. Citations and explanations (Rule 70.7)

D1 US 2002/0169702

A computer program for increasing after tax income which includes obtaining a mortgage on equity in real property, the mortgage having an annual interest amount and receiving substantially equal annual distributions from an individual retirement account that are approximately equal to the annual interest amount on the mortgage. Includes paying the mortgage interest with the IRA distributions, placing the received equity in a money management account, transferring funds from the money management account into a life insurance contract over a set period, and receiving tax advantaged distributions from the life insurance contract.

D2 US 2003/0154161

A software program for managing a home equity loan to a borrower by way of channelling annuity proceeds to the monthly payments of the home equity loan. The equity in a borrower's home is determined and the loan is established. An escrow account is established, and the proceeds of the loan are used to purchase a commercial annuity. The proceeds of the commercial annuity in turn are used to satisfy the monthly payments on the home equity loan. Moreover, current and future debts of the borrower can also be satisfied by way of the proceeds of the loan. There is assumed a periodic increase in the future debts of the borrower.

Novelty, Inventive Step (Yes) Claims 1 to 14

Neither citation D1 or D2 teaches or suggests periodically paying an interest charge determined on a simple interest basis as defined in the independent claims. The normal practice in mortgage and/or equity finance arrangements is to apply compound interest calculations to determining accumulated credit/debit so it would not be obvious to the skilled addressee to consider using simple interest calculations.

Industrial Applicability (Yes) Claims 1 to 14

The claims are seen to be industrially applicable.